WEST MIDLANDS AGGREGATES WORKING PARTY ANNUAL REPORT 2011 & 2012 COMBINED

WORKING DRAFT

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1. INTRODUCTION

- 1.1 The West Midlands Aggregates Working Party (WMAWP), formerly known as the West Midlands Regional Aggregates Working Party (WMRAWP) is a technical group established in the 1970s along with nine other working parties covering all the formerly designated regions of England and Wales. Although the Government has abolished the formal regional structure in England, it has opted to retain Aggregate Working Parties relating to the 'areas formerly known as regions' (sometimes referred to as 'afkars', although in this context, the preferred term is now 'clusters'). The group plays a major role in data collection, collation and monitoring, and provides advice on future trends in and affecting the area, together with the environmental and other implications of meeting Government aggregate demand forecasts. As well as enabling the mineral planning authorities (mpas) within the area to formulate plans and polices which reflect national and sub-national needs, the WMAWP provides an input into broader strategic planning within the area and the local interpretation of Central Government guidelines for aggregate provision.
- 1.2 The WMAWP draws its members from the mpas in the region together with representatives from the minerals industry, through its trade associations, the Mineral Products Association (MPA) and the British Aggregates Association (BAA), plus the Department for Communities and Local Government (DCLG), the National Federation of Demolition Contractors (NFDC), the Environment Agency (EA). The last meeting of WMRAWP was held on 3 March 2010 the WMRAWP. A list of all members at that stage is set out for reference in Appendix X.
- 1.3 Between March 2011 and March 2013 there was no DCLG contract to provide Technical Secretarial services to the WMRAWP. During this time, Warwickshire County Council officers voluntarily managed the routine activities of WMAWP, including undertaking the collection and collation of sales and other data for 2010 and 2011and preparing a report for 2010. The succeeding WMAWP records sincere thanks for the provision of this invaluable service by Warwickshire County Council and its officers involved in this work. Their commitment means that a full historic series of sales and other data remains available which is particularly important in view of the exceptionally rapidly changing economic conditions during the interim period.
- 1.4 A new contract was awarded in May 2013 by the DCLG to the National Stone Centre for the provision of a Technical Secretariat. In the circumstances, it was decided to prepare a report combining the 2011 survey data gathered by Warwickshire, together with statistics for 2012, collated under the new contract and comprising mainly primary aggregate sales reserves and landbank statistics together with a summary of development plan preparation as at the end of 2012. The present report therefore includes the results of the annual monitoring survey of aggregate sales in the West Midlands for the calendar years 2011 and 2012.
- 1.5 The basic statistical information on sales and permitted reserves has been provided voluntarily by the minerals industry to mpas, or in those few instances where not supplied, estimated on the best available evidence, by mpa officers. Initial collation was conducted by

the mpas and completed by the WMAWP Technical Secretary. In most cases the information released (grouped where necessary to preserve commercial confidentiality) exceeds the quantities and detail of that published in the Annual Minerals Raised Inquiry (AMRI), based on compulsory returns.

1.6 The National Planning Policy Framework (NPPF), was published in March 2012 and superseded much of the previous national planning policy and guidance. In particular there is a new requirement for mineral planning authorities to prepare Local Aggregate Assessments (LAAs) and for the AWPs to comment on these assessments.

2. NATIONAL AND SUB-NATIONAL AGGREGATES PLANNING

- 2.0 The year 2012 witnessed major changes to the planning system in general, including two fundamental initiatives specifically relating to planning the provision of aggregates. The changes emphasise a 'bottom up' approach, but retain, indeed strengthen much of the framework of the Managed Aggregates Supply System (MASS). Whereas therefore, 2012 was a transitional year, significant elements of the products of the new requirements did not emerge until subsequent years and so will be recorded in more detail in later reports. The reporting situation was of course complicated by the lack of formal meetings and a secretariat.
- 2.1 In March 2012 the National Planning Policy Framework (NPPF) replaced most earlier Minerals Planning Statements and Guidance (MPS & MPG), including MPS 1 which had set out the national and regional framework for minerals planning and the provision of aggregates in England and Wales. The NPPF was supplemented by Guidance on the Managed Aggregate Supply System (the 2012 Guidance), published in October 2012. Although substantially condensed, the thrust of the new planning policy for minerals remains essentially unchanged. The NPPF and the 2012 Guidance emphasise the importance of the contribution of secondary and recycled materials and mineral waste to aggregates supplies and also the significance of safeguarding mineral resources and prior working where practicable. The need for the maintenance of landbanks is also emphasised and mpas are required to plan and make provision for a steady and adequate supply of aggregates.
- 2.2 The NPPF introduces a new requirement for mpas to prepare an annual Local Aggregates Assessment (LAA) based on a rolling average of 10 years sales data and other relevant local information and an assessment of all supply options. The importance of the work of Aggregate Working Parties (AWPs) in monitoring aggregate extraction is highlighted and participation in the operation of an AWP and taking the advice of that AWP into account is required of mpas, as is taking account of published National and Sub National Guidelines on future provision, which should be used as a guideline when planning for the future demand for and supply of aggregates.
- 2.3 The 2012 Guidelines require LAAs to gauge provision against a yardstick based on average annual sales over the previous ten years, rolling forward seven years for sand and gravel and ten years supply for crushed rock. This is to be regarded as a starting point to which modifications can be applied reflecting local market factors; consideration can also be given to any pertinent trends evident over the most recent three years.
- 2.4 The same guidelines confirm DCLG's intention to commission and publish national forecasts and to apportion these sub-nationally. However they caution that although where these have been further apportioned more locally, they can be employed indicatively as a cross reference particularly as an evidence source in testing plan provision. In this context they can be considered as 'material' in assessing soundness of policies.
- 2.5 The following tables therefore set out the total sales and reserves of primary aggregates derived by WMAWP applying the survey processes noted above, for 2011 and 2012. Alongside are the totals for the previous eight years, thus enabling the ten-year averages to be calculated. It should be noted that a number of minor errors identified in the earlier series were rectified. Permitted reserves are also compared with recent three-year averages. The latter, reflecting the severe economic downturn, are of course much lower than the ten year averages

2.6 In order to complete the picture, apportionment figures are attached. These are employ calculations made by the former WMRAWP. According to the related narrative in the 2010 Annual Report, they were based on the most recent National and Sub-National Guidelines, ie the National and Regional Guidelines for Aggregates Provision in England 2005-2020 published on 29 June 2009. This process resulted in considerable discussion within the WMRAWP, the then regional bodies and in particular, concerning Staffordshire. The previous account, calculations and rationale are repeated in Appendix X for reference and to provide context. As noted above, according to the MASS Guidance, the Apportionments so derived are to be regarded as indicative, in parallel with the main projections based on ten year averages.

The levels of provision set out in the 2009 Guidelines are set out in Appendix X. These cover all key categories of aggregates.

3: ANNUAL SURVEYS [2011 AND 2012] AND FUTURE PROVISION

Background

- 3.1 As already noted, basic surveys of the sales (generally equating to production) and permitted reserves were carried out by mpas for the calendar years 2011and 2012, then collated by Warwickshire County Council and the National Stone Centre respectively. In line with previous practice in the region, data was sub-divided into crushed rock and sand/gravel. No further categorisation into different end uses or rock types was attempted (or indeed possible within confidentiality guidelines) and almost no data for non-aggregate uses was made available for collation. Even at this very broad level, preparation of data encountered major confidentiality grouping issues. These will need to be addressed if future planning of provision is to continue to be meaningful.
- 3.2 The ongoing reduction in the number of operating sites increases the challenge of presenting relevant planning data in a form accommodating commercial sensitivities. The situation in the West Midlands is in this respect is particularly acute and now especially in respect of crushed rock statistics. In 2012 for example it became necessary to amalgamate sales details for two sites in Herefordshire with two in Warwickshire and another in Staffordshire, yet the locations are up to 80 miles distant from each other on opposite sides of the West Midlands conurbation

Sand and Gravel

Table 3. 1	Sand a	nd gravel	sales: \	Nest Mic	dlands			n	nillion ton	nes
County	2003	**2004	2005	2006	2007	2008	2009	2010	2011	2012
Herefs	0.25	0.25	0.24	**0.19	0.19	0.177	0.125	0.111	0.070	0.620
Worcs	0.89	0.85	0.75	0.70	0.81	0.758	0.524	0.618	0.626	
Shrops	0.82	0.84	0.83	0.77	0.78	0.710	0.670	*0.687	0.652	0.640
Staffs	6.26	6.08	5.80	6.80	6.44	5.340	3.757	3.757	3.820	3.695
Warks	0.83	0.84	0.90	0.98	1.19	0.847	0.751	0.329	0.424	0.400
W. Mids Conurb	0.50	0.52	0.58	0.55	0.61	0.500	0.375	*0.451	0.401	0.461
Regional Total	9.55	9.38	9.10	9.99	10.02	8.332	6.202	5.953	5.993	5.816

Main source: WM[R]AWP surveys

^{*} Based on Annual Minerals Raised Inquiry (Office of National Statistics)

^{**} Estimated

^{3.3} Table 3.1 shows the sales figures for sand and gravel in the West Midlands gathered in the 2011 and 2012 surveys. Alongside, data for 2003-2010 are set out, to provide the ten year span needed as a baseline to measure future provision. It should be noted that for the

first time, the reduction of active units in Herefordshire to a single site necessitated combination with Worcestershire.

3.4 In the most recent three years surveyed, overall sales been only slightly over 60% of levels experienced in the earlier 2000s, although there are signs of the markets stabilising around this low point. The greatest impact in tonnage terms was seen in Staffordshire (by far the largest producing area, but the decline in percentage was marginally less.

Table 3. 2	Sand a	nd grave	permitt	ed rese	rves : We	st Midla	nds		million	tonnes
Area	2003	2004**	2005	2006	2007	2008	2009	2010	2011	2012
Herefs	5.95	5.7	5.1	5.3	5.1	6.148	5.152	2.921	2.871	6.567
Worcs	6.43	5.58	4.3	3.6	4.1	3.021	3.65	4.490	3.849	
Shrops	14.8	13.96	13.8	13.8	13.02	12.23	14.42	13.77*	13.546	12.862
Staffs	103.8	97.96	100.15	88.6	82.9	82.88	79.22	73.774	71.786	66.984
Warks	9.29	8.45	8.5	6.2	5.0	4.756	3.95	3.123	4.514	4.333
W. Mids Conurb	3.02	2.5	2.0	1.6	2.39	5.21	5.062	4.611*	4.653	4.578
Regional Total	143.29	135.15	133.85	123.8	112.51	114.25	111.45	102.689	101.219	97.025

^{*} Based on earlier returns an Annual Minerals Raised Inquiry (Office of National Statistics)

- 3.5 Permitted reserves of sand and gravel as at the end of calendar years is given for the comparable period in Table 3.2. The total permitted reserves of sand and gravel in the West Midlands continues to fall but not dramatically. This reflects the low sales figures from all authorities in the region whereby fewer reserves are being used. The longer term decline in permitted reserves since 2003 is evident in most of the figures which are partly due to the difficulty in obtaining new permissions for sand and gravel quarries.
- 3.6 Landbank figures are given in years and are calculated initially by dividing an MPA's total permitted reserve by: a) the annual average of sales over the last ten years (MASS Guidance 2012 now the preferred starting point); b) this can be modified upwards if there have been significant increases over the previous three years; c) applying averages based on apportioning the Sub-National Guidelines (see Appendices 2 & 3). Further modifications, if justifiable can be made (eg by AWPs or in LAAs if agreed) to reflect significant local changes, major infrastructure initiatives etc.

^{**} Estimated

Area	2003- 2012 total sales Mt	Annual average 2003- 2012 Mt	Permitted Reserves @ 31:12:12 Mt	Landbank in years Using 2003-12	Average x 7 years Mt	Overall Shortfall/ surplus @ 7 yrs Mt	Average sales 2010- 2012	Annualised Apportion- ment***	Land- bank in years Using Apportio n-ment
Herefs	8.76	0.876	*6.567	7.6	6.132	+ 0.435	0.683	0.283	5.7
Worcs								0.871	
Shrops	7.37	0.737	12.862	17.5	5.159	+7.703	0.660	0.820	15.8
Staffs	51.76	5.176	66.984	12.9	36.232	+30.752	3.757	6.602	10.1
Warks	7.49	0.749	4.333	5.8	5.243	-0.910	0.384	1.043	4.2
W. Mids Conurb	4.94	0.494	4.578	9.3	3.458	+1.120	0.438	0.506	9.0
Regional Total	80.32	8.032	97.025	12.1	56.224	+40.801	5.921	10.125	9.6
* see par	a 3.9								<u> </u>

- 3.7 The National Planning Policy Framework states that minerals planning authorities should plan for a steady and adequate supply of minerals and that for sand and gravel, they should aim to make provision for landbanks of at least 7 years or above.
- 3.8 Warwickshire's landbank is currently considerably below this figure and the total landbank is continuing to decline. The situation in In Warwickshire is particularly serious as a number of sites have closed since 2008, (including one in 2011 and two in 2012) and no new sites have come forward up to 2012 (although one was under consideration in 2012), to replace them. This is probably a sign that the recession is hitting the construction industry along with the difficulty operators are finding in justifying the necessary capital outlay, in obtaining planning approved and finding sites which are viable when the quality of the mineral is indifferent.
- 3.9 Within the joint figure for Herefordshire and Worcestershire, the reserves are very unevenly distributed with respect to operational sites. It is also below the seven year apportionment threshold. Furthermore, there is another large site (not included) where the quality is understood to be questionable as is the planning status.
- 3.10 The West Midlands Conurbation landbank also declined considerably up to 2007, but the Meriden Quarry extension approval in Solihull has meant that the sub-region can now demonstrate a 7-year landbank. However, this is unlikely to be maintained in the long-term unless new reserves continue to come forward in Solihull and/ or Walsall.
- 3.11 In summary therefore, some parts of the West Midlands are still showing a steady decline in sand and gravel reserves, with the position in Warwickshire being acute. There is likely to be future pressure to accommodate more construction activity when the local

economy recovers from the downturn and there is concern that some sub-regions may not have adequate reserves of construction materials to enable this development from within their own sub-regions if current trends continue.

Crushed Rock

- 3.12 Table 3.4 shows the sales figures for crushed rock in the West Midlands gathered in the 2011 and 2012 surveys. Alongside, data for 2003-2010 are set out, to provide the ten year span needed as a baseline to measure future provision. It should be noted that over the period from 2003, the number of active sites has so reduced that it is now only possible to present information for Shropshire as an entity, all the other areas having to be combined despite their disparate characteristics.
- 3.13 Crushed rock reserves in the West Midlands Conurbation Area were exhausted in 2006/07. It was agreed that the West Midlands County apportionment would be shared between Warwickshire and Staffordshire. Consequently, the apportionments for these MPAs were revised to accommodate the shortfall.

Area	2003	*2004	2005	2006	2007	2008	2009	2010	2011	2012
Shrops	2.46	2.47	2.50	2.60	2.33	2.29	1.80	**2.00	1.65	2.41
Worcs	0.42	0.46	0.29	0.30	0.37	0.22	0.20	-	-	-
Herefs								0.20	0.33	0.71
Staffs	1.05	0.87	1.40	1.40	1.39	0.93	1.00	0.60	0.48	
Warks	0.70	0.66	-							
W Mids	0.80	0.63	0.31	-	-	-	-	-	-	-
Total	5.43	5.09	4.50	4.30	4.09	3.44	3.00	2.80	2.46	3.12
* estimat	Led ** AM	 RI	St	 nropshire ir	 ncludes Te	 ford/Wreki	n n	<u> </u>		

3.14 The reduction between the high (2003) and low (2011) points in the series, at 45% is clearly less than that for sand and gravel. In addition, 2012 displayed a return heading towards 2008 levels. The reduced volatility in rock sales is probably due the generally larger scale of longer term production units with the greater assurance of access to reserves in most cases.

Table 3	3.5 Crush	ned rock	permitt	ed reser	ves: We	st Midla	nds 2003	3-2012	Million	tonnes
Area	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Shrops	87.40	84.93	96.40	95.50	93.17	116.00	116.00	114.00	104.50	124.81
Worcs	С	С	С	С	С	С	С	-	-	-
Herefs	16.96	16.50	15.90	15.10	14.60	14.4	15.00	12.20	11.00	11.79
Staffs	176.15	171.60	162.50	161.20	160.91	160.10	160.50	159.70	159.65	189.84
Warks	31.50	31.40	29.20	30.80	30.20	29.91	29.10	21.60	21.00	
W Mids	1.08	0.45	0.28	-	-	-	-	-	-	-
Total	313.63	304.88	304.58	302.60	298.90	320.41	320.60	307.50	296.15	326.44
c - confi	dential	1	Shropshi	re includes	Telford/W	rekin	1	1	1	

- 3.15 In general, permitted reserves appear to be extensive but it is known that at some locations, particularly some inactive sites, the consistency of rock quality is indeterminate.
- 3.16 Landbank figures are given in years and are calculated for rock as described in paragraph 3.6. However in the case of rock, the National Planning Policy Framework states that minerals planning authorities should aim to make provision for landbanks of at least 10 years or above.
- 3.17 Table 3.6 demonstrates that in broad terms, there are sufficient permitted rock reserves to maintain supplies for well beyond the required landbank settings. However the caution noted in paragraph 3.15 should be kept in mind and, probably as significantly, the spread of one data set over four county areas could obscure local imbalances, which could be difficult t verify in the context of data restrictions.
- 3.18 Notwithstanding the latter, reference to historical statistics and the pattern of closure and mothballing sites, suggests that the landbanks in Herefordshire, Staffordshire, Shropshire and Warwickshire remain relatively healthy even after absorbing the apportionment for the West Midlands metropolitan area since the last quarry in the area, located in Sandwell, ceased production. Worcestershire's contribution to the region was traditionally very small and has now stopped.

Area	2003- 2012 total sales Mt	Annual average 2003- 2012 Mt	Permitted Reserves @ 31:12:12 Mt	Land- bank in years	Average x 10 years Mt	Overall Shortfall/ surplus @ 10 yrs Mt	Average sales 2010- 2012	Annualised Apportion- ment*	Land-bank in years Using Apportion- ment
Shrops	22.51	2.251	124.81	55.4	22.51	+102.30	2.02	2.949	42.3
Herefs Worcs Staffs								0.424 0.163	
Warks	15.73*	1.573*	201.63*	128.2*	15.73*	+185.90*	0.77*	1.395 0.880	
Sub total								2.862	70.5
Regional Total	38.23	3.823	326.44	85.4	38.23	+288.21	2.79	5.811	56.2

^{3.19} Another factor to be monitored, (as the national four-yearly surveys indicates) concerns the fact that the West Midlands (especially in the east) is becoming increasingly dependent upon rock imports, particularly from the East Midlands and most notably, Leicestershire.

4: Regional Construction Figures

Housing Completions and Demolitions

- 4.1 Since the abolition of the West Midlands Regional Assembly, a West Midlands Annual Monitoring Report is no longer prepared annually. The WMAMR also served to provide the figures for demolitions around the region. In the West Midlands Region however, authorities do still make returns via Mott McDonald Consultants who compile tables which compare housing completions and demolitions against a 10 year average.
- 4.2 Consideration needs to be given as to a) whether the analysis of housing data is a worthwhile exercise as an indicator of demand for aggregates and b) should the regular recording of major construction projects as a whole be conducted.

5. Construction and Demolition Waste

- 5.1 Previous WMAWP Surveys have attempted to provide information on the production of recycled aggregates in the West Midlands Region. This exercise has been previously undertaken through WMAWP but the results from previous surveys had been limited. There have been problems in respect of the collection of data, and although data on the use and production of secondary and recycled aggregates is important for the region, it was considered that the WMAWP survey could not give a fully accurate measurement, given the problems of accurate data collection. More details are emerging in LAAs
- 5.3 A significant proportion of the wastes recycled for aggregate use are recycled at demolition/ construction sites using mobile processing plant. Monitoring this source of alternative aggregates has not proved possible at a local level but the implementation of site waste management plans (SWMP's) required for some construction projects had created an opportunity to record the amount of recycling activity associated with demolition sites. However, this is one of the areas where the Coalition Government via DEFRA has put in place plans to remove the regulations for SWMP's in a bid to reduce bureaucracy for small businesses.
- 5.4 The active material recycling sites for each authority will be shown in Appendix X.

6 Transport

- 6.1 There is a need to record the location and throughput tonnages of rail depots.
- 6.2 Operations for despatch are located in Shropshire and for reception, in Birmingham more details are emerging in LAAs

7. DEVELOPMENT PLANS

- 7.1 This chapter updates the position within the region concerning the preparation and adoption of plans containing minerals policies. This information provides the status at the end of 2012.
- 7.2 The Planning & Compulsory Purchase Act 2004 changed the way that development plans were prepared. Under this new legislation, the development plan for each authority comprised:
 - Existing adopted plans or policies which have been "saved" for a transitional period
 - Adopted Development Plan Documents (DPDs) which form part of the authority's Minerals and Waste Development Framework (MWDF) or Local Development Framework (LDF) – see below.
- 7.3 This has since been superseded by the new National Planning Policy Framework (NPPF) and the new Local Planning Regulations (SI 2012 No 767). These Regulations replace the requirement to produce a Core Strategy, thus enabling local authorities to decide the best form of local plan for their area. Local Authorities can continue with the production of Core Strategies that have already progressed some way down the line until adoption. When the current plans are adopted each local planning authority must decide what is the best form of plan preparation for their own particular area in to the future.

The National Planning Policy Framework

- 7.4 The National Planning Policy Framework (NPPF)was published on 27.03.12 and sets out the Government's planning policies for England. It sets out how the policies will be applied and replaces over 1000 pages of former planning policy statements and guidance notes. It provides a framework in which local people and Councils can produce their own distinctive local and neighbourhood plans.
- 7.5 Whilst very similar in overarching policy terms to the previous guidance it places great emphasis on a new "Presumption in favour of Sustainable Development". The NPPF includes a section on minerals and a sub-section on aggregates, stating that Minerals Planning Authorities should plan for a steady and adequate supply of aggregates through a number of monitoring mechanisms using Local Aggregate Assessments, taking advice from the Aggregate Working Party and using landbanks of mineral reserves as an indicator of additional future provision to be made in Local Plans. In terms of the maintenance of landbanks, guidance states that there should be a period of 7 years for sand and gravel and 10 years for crushed rock landbanks. "Minerals" is also one of the topics featured in the Technical Guidance document to the NPPF, which mainly relates to the environmental impact of mineral developments.
- 7.6 One of the most important elements of the NPPF is the Duty to Cooperate. The West Midlands Aggregate Working Party is a particularly important vehicle in ensuring that Mineral Planning Authorities work together to ensure cross boundary issues and apportionments of aggregates are co-ordinated effectively.

The Regional Spatial Strategy

- 7.7 The first Regional Spatial Strategy (RSS) was published in June 2004. The RSS provided the regional planning guidance for the West Midlands and all plans produced by Local Authorities had to generally conform with its policies. In 2004 the Secretary of State supported the principles of the strategy but suggested several issues that needed to be developed further. The revision of the RSS had been taking place in three phases.
- 7.8 **Phase One** of the Revision was completed in January 2008 and set out the long-term strategy for the Black Country area.
- 7.9 **Phase Two** focused on housing development, employment land, town centres, transport and waste together with overarching policies relating to climate change and sustainable development.
- 7.10 **Phase Three** focussed on Critical Rural Services, sites for gypsies, travellers and travelling showpeople, culture, sport and tourism, quality of the environment and minerals policy.
- 7.11 The Phase 2 and 3 Revisions had not been completed at the time of the General Election in 2010.
- 7.12 Following the winding up of the West Midlands Regional Assembly (WMRA) on 31st March 2010, any further work on the revised RSS was to be taken forward by the West Midlands Leaders Board (WMLB) along with Advantage West Midlands. However, in a letter to Chief Planning Officers, the Secretary of State on 6 July 2010 confirmed that all Regional Spatial Strategies have now been revoked and the status of regional policy holds increasingly less weight.
- 7.13 Regional Spatial Strategies, despite the enactment of the Localism Bill, which became law in 2011, had still not been completely abolished by the end of 2012, because the Government has decided to undertake an environmental assessment of the revocation of the existing regional strategies. However, it is the Government's clear policy intention to revoke existing regional strategies outside London, but this is subject to the outcome of the environmental assessments and abolition will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the assessments. Once this has been carried out the provisions of the Act will be implemented and the RSS will be finally abolished.

Saving of WMRSS Policies

7.14 Since 1st April 2010, the Regional Spatial Strategy has consisted of the existing Regional Economic Strategy (RES) and the West Midlands Regional Spatial Strategy (WMRSS) as of January 2008, which incorporates WMRSS Phase One.

Minerals and Waste Local Development Frameworks and new Local Plans

7.15 Mineral and Waste Planning Authorities had previously been required to prepare Minerals and Waste Development Frameworks (MWDFs) in Shire County areas or Local

Development Frameworks (LDFs) in Unitary Authority areas. Although the Minerals and Waste Local Plans for all relevant authorities were prepared under previous legislation, they were permitted to retain their status for a three year period after the commencement of the Planning Act, ie until September 2007.

- 8.16 Where it was felt necessary to save certain policies contained beyond September 2007, the authorities put forward a case to the Secretary of State by the deadline of 30th April 2007. The Secretary of State issued a Direction on the 7th September 2007, to save certain policies beyond the 28th September 2007. MPAs have published their saved policies on their websites.
- 7.17 However, the new NPPF has changed the status of saved policies. For 12 months from the day of publication, LPAs may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework. In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- 7.18 From the day of publication, LPAs may also give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 7.19 Whereas some authorities were preparing a planning framework covering their own area, others could agree to produce joint plans covering more than one authority area. For example, the Black Country authorities (Dudley, Sandwell, Walsall and Wolverhampton) have worked together on a joint Core Strategy. There may be other examples of joint working in the future as this is particularly encouraged by Government through the new Duty to Co-operate.
- 7.20 With the changes to the planning system though the NPPF and the new Local Planning Regulations, the requirement to produce Core Strategies and Local Development Frameworks that accord with the RSS no longer exist. Core Strategies in the West Midlands, which had been through the system to Examination and adoption are: The Black Country Joint Core Strategy and Shropshire's Core Strategy. Two other Core Strategies have gone to Examination but have yet to be adopted; (Worcestershire and Staffordshire).
- 7.21 Previously it was also required that an Annual Monitoring Reports (AMRs) should be produced by each authority under the 2004 Planning and Compulsory Purchase Act. These documents reviewed progress on emerging Local Development Documents against the agreed Minerals and Waste Development Schemes and assessed the extent to which policies in Local Development Documents were being successfully implemented. The new system under the Localism Act require AMR's to be produced but there is more discretion given to the LPA's in respect of timing and content as to when they will be produced.

7.22 All Shire County and former Shire County areas in the region are covered by adopted Minerals Local Plans, and all Unitary Authority areas are covered by adopted Unitary Development Plans (UDPs). However, these are now rapidly being replaced by Core Strategies or the new Local Plans.

7.23 In the Metropolitan areas, most authorities have on-site recycling or secondary aggregates/recycling policies in their adopted Unitary Development Plans. However, not all of these plans contain primary aggregate policies because they are not relevant in areas where aggregates are not present or are unlikely ever to be worked. But in all areas the NPPF obligates mineral planning authorities to safeguard significant mineral deposits and potential rail or water transfer points from prejudicial development and identify opportunities for removal of mineral (prior extraction) before being lost to development.

Plan and policy documents - current position

7.24 The tables in Appendix 4 set out the position in respect of mineral and waste-related plans, policies and similar documents in each mineral planning authority for the period running up to 31st December 2012. They do not include annual monitoring reports or local aggregates assessments although some authorities had at that point, embarked upon the preparation of the latter.

APPENDICES

A1. The West Midlands Local Government Areas

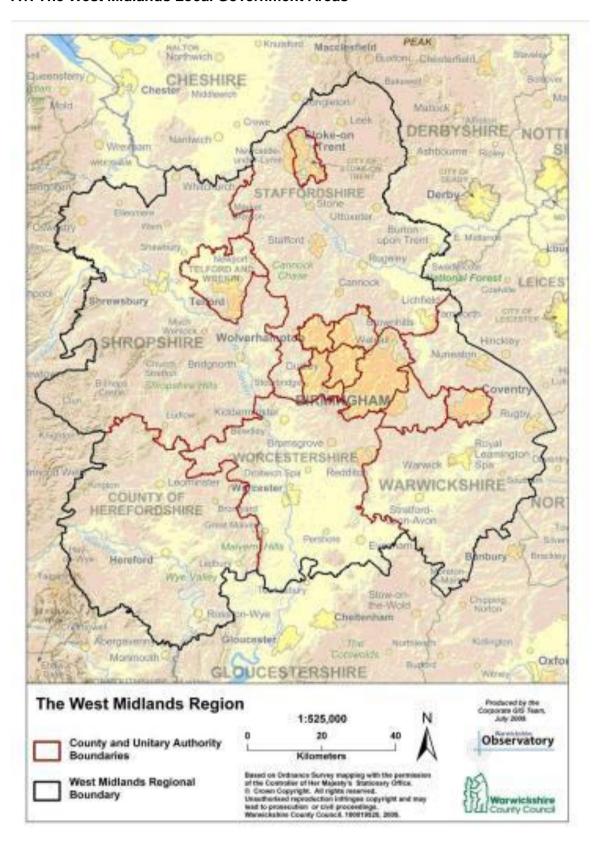


Figure 2.1: The West Midlands Local Government Areas

The West Midlands comprises the following authorities:-

Shire Counties:

Staffordshire Warwickshire Worcestershire

Unitary Authorities:

Herefordshire Stoke-on-Trent (formerly part of Staffordshire) Shropshire Telford & Wrekin (formerly part of Shropshire) and

The Metropolitan Districts of the West Midlands County Area (also referred to as Unitary Authorities):

Birmingham Coventry Dudley Sandwell Solihull

Walsall Wolverhampton

A2: National and Regional Guidelines for Aggregates Provision in England, 2005 –2020 (Mt)

	Guidelines production i	for land-won n Region	Assumpt	ions	
	Land-won Sand & Gravel	Land-won Crushed Rock	Marine Sand & Gravel	Alternative Materials (a)	Net Imports to England
Regions Mt.				(4)	
South East England	195	25	121	130	31
London	18	0	72	95	12
East of England	236	8	14	117	7
East Midlands	174	500	0	110	0
West Midlands	165	82	0	100	23
South West	85	412	12	142	5
North West	52	154	15	117	55
Yorkshire & the Humber	78	212	5	133	3
North East	24	99	20	50	0
England	1028	1492	259	993	136

Source: National and Regional Guidelines for Aggregates Provision in England, 2005 – 2020. DCLG June 2009

⁽a) aggregate materials other than land or marine won

A3: Explanation of Sub Regional Apportionment – West Midlands

- 3.0 As noted earlier, there was considerable discussion within the region (notably in respect of Staffordshire), immediately prior to 2011, concerning the implementation of the Sub Regional Apportionment process. By way of explanation, the following section repeats the text of the WMRAWP 2010 Annual Report, slightly modified to make clear, references to specific reports. The MASS Guidance cautions against over-prescriptive application at local level. Furthermore, in revisiting this account, no obvious rationale could be found to explain why the 2003 provision totals had not been replaced by 165Mt for sand/gravel and 82Mt for rock as set out in the current [ie 2009] Guidelines, although the revised total were acknowledged in the text. No agreement could be reached in the region at the time concerning the adoption of the 2009 guidelines despite the new levels set overall, being lower than those of 2003, which for some years up to that point had been embedded in many locally agreed policy documents.
- 3.1 The "National and Regional Guidelines for Aggregate Provision in England 2001- 2016 published by CLG in June 2003 (previously the Office of the Deputy Prime Minister) sought to ensure that there is an adequate supply of aggregates into the UK economy with no geographical imbalances. These guidelines estimated that the West Midlands Region would need to produce 359 million tonnes (Mt) of total aggregates during the period 2001-2016. These guidelines assumed that 88 Mt will be provided from alternative aggregate sources such as demolition waste and 16 Mt will be imported from Wales (mainly Powys). Therefore 255Mt of Primary Aggregate was required from the West Midlands in 2008 comprising 162 Mt of sand and gravel and 93Mt of crushed rock (see also Appendix 2).
- 3.2 However, it should be noted that the national guidelines were revised and were replaced by new figures issued in June 2009. The figures require that 370 Mt of material are produced in the West Midlands between 2005 -2020. This includes a new total Primary Aggregate requirement of 247 Mt comprising 165 Mt of sand and gravel and 82 Mt of crushed rock. In addition, it is assumed that over the period of the new guidelines there will be a contribution of 100 Mt from alternative aggregate sources (secondary and recycled materials) and a net import of primary aggregate from outside the region of 23 Mt (principally from Wales). In 2009 the WMRAWP was requested to undertake a sub–regional apportionment of the 2009 guidelines on behalf of the West Midlands Regional Assembly (WMRA). It was subsequently asked to consider other methodologies prepared by Land Use Consultants (LUC) under a commission by the WMRA. In February 2010 the views of the WMRAWP were conveyed to the WMRA by the chairman as follows:
- 3.3 "The WMRAWP agreed to recommend to the RPEE (Regional Planning & Environment Executive) that Option 1c was the RAWP preferred option (based on a sales average for the 10 years preceding 2007). The WMRAWP did not support any of the LUC options A to E but did recommend that the two new options presented by LUC "Option F" and "Refined Option F" merited further consideration and should be subject to a further limited consultation to commence on 17 February 2010 for 9 days. These two new options will be considered by WMRAWP on 3 March 2010."
- 3.4 At its meeting on 3 March 2010 the WMRAWP resolved to maintain its support for Option 1c. Subsequently the WMRA decided to adopt one of the options produced by LUC (Option F) and on this basis submitted an Interim Policy Statement to the former Secretary of State.

The status of that document was questioned by most of the members of the WMRAWP for reasons including the application of a theoretical methodology which could not be supported by the majority of the WMRAWP members. In the circumstances of the preparation of the 2010 report, it was only feasible only to record the prevailing position and the uncertainty surrounding the sub regional apportionment process arising from the above issues and from the new Coalition Government's proposals (May 2010) to abolish regional spatial strategies. However, since the apportionment process was carried out, two Core Strategies have been to Examination (Shropshire Council and the Black Country Authorities) and the traditional past sales approach was accepted in each instance by the Inspector for the Secretary of State.

3.5 For the purpose of preparing the 2010 report, the figures for 2010 were used (as they were in 2009) against the 2001-2016 apportionment figures. In ensuring the supply of the required aggregates for the 16 year period, the totals for sand and gravel and crushed rock in the 2003 Guidelines have been divided into an annual apportionment for each Mineral Planning Authority. The tables below show how the apportionments for each aggregate were calculated.

Sand & Gravel Apportionment

	1999	2000	2001	Average	Average (%)
	Production	Production	Production	Production	(70)
Herefordshire	0.297	0.289	0.261	0.282	2.8
Worcestershire	0.887	0.839	0.836	0.854	8.6
Shropshire	0.808	0.742	0.857	0.802	8.1
Staffordshire	6.589	6.442	6.411	6.481	65.2
Warwickshire	1.017	1.043	1.031	1.030	10.3
W. Midlands County	0.474	0.481	0.536	0.497	5
Regional Total	10.072	9.836	9.932	9.946	100

Table A3.1 Proportional share (%) of Regional Sand and Gravel production for each county

3.6 Based on the sand and gravel provision remaining at similar levels throughout the 16 year period covered by the guidelines, the total figure for sand and gravel in the West Midlands Region (162mt) was apportioned between the authorities by multiplying this figure

by each authority's average proportional production over the years 1999 – 2001 and dividing the result by 16 years to produce an annual figure.

Annual Apportionme	ent of Sand & Gravel	
	Apportionment of Regional Guidelines	Annual Provision
Herefordshire	162Mt x 2.8% ÷ 16	0.283 Mt
Worcestershire	162Mt x 8.6% ÷ 16	0.871 Mt
Shropshire	162Mt x 8.1% ÷ 16	0.820 Mt
Staffordshire	162Mt x 65.2% ÷ 16	6.602 Mt
Warwickshire	162Mt x 10.3% ÷ 16	1.043 Mt
W. Midlands County	162Mt x 5% ÷ 16	0.506 Mt

10.125Mt

Table 3.2 Annual Apportionment for sand and gravel

Regional Total

Sand and Gravel Reserves and Landbanks up to 2010

	Landbank at 31.12.08 (Years)	Reserves at 31.12.09 (million tonnes)	Local Annual Apportion (Mt)	Landbank at 31.12.09 (Years)	Reserves at 31.12.10 (Mt)	Landbank at 31.12.10 (years)
Herefordshire	21.72	5.152	0.283	18.20	2.921	10.32
Worcestershire	3.47	3.65	0.871	4.19	4.490	5.15
Shropshire	14.91	14.42	0.820	17.56	13.77	16.79
Staffordshire	12.55	79.22	6.602	11.99	73.774	11.17
Warwickshire	4.56	3.95	1.043	3.78	3.123	2.99
W Midlands County	10.29	5.062	0.506	10.00	4.611	9.11
Regional Total	67.5	111.45	10.125	65.72	102.689	55.53

Crushed Rock Apportionment

Proportional Share (%) of Regional Crushed Rock Production for each County

Crushed Rock	1999	2000	2001	Average	Average
	Production	Production	Production	Production	%
Herefordshire	#	#	#	0.42	7.3
Worcestershire	#	#	#	0.16	2.8
Shropshire	2.80	2.64	2.49	2.64	45.8
Staffordshire	1.48	1.33	1.33	1.38	24.0
Warwickshire	0.62	0.57	0.57	0.59	10.2
W. Midlands County	0.72	0.45	0.53	0.57	9.9
Regional Total	6.23	5.56	5.49	5.76	100

(production figures in million tonnes)

denotes figures not shown for reasons of confidentiality

Table A3.3 Proportional share (%) of Regional Crushed Rock production for each county

3.7 Based on crushed rock provision remaining at similar levels throughout the 16 year period covered by the guidelines, the total figure for crushed rock in the West Midlands Region (93mt) was therefore apportioned between the authorities by multiplying this figure by each authority's average proportional production from 1999 – 2001 and dividing the result by 16 years to produce the annual figure.

Crushed Rock	Apportionment of Regional Guidelines	Annual
		Provision
Herefordshire	93Mt x 7.3% ÷ 16	0.424 Mt
Worcestershire	93Mt x 2.8% ÷ 16	0.163 Mt
Shropshire	93Mt x 45.8% ÷ 16	2.662 Mt
Staffordshire	93Mt x 24.2% ÷ 16	1.395 Mt

Warwickshire	93Mt x 10.2% ÷ 16	0.593 Mt
W. Midlands County	93Mt x 9.9% ÷ 16	0.575 Mt
Regional Total		5.812Mt

Table A3.4 Annual Apportionment for Crushed Rock

- 3.8 The former West Midlands County area had an estimated crushed rock landbank at 1 January 2002 of between 3 and 4 years and this could not be replaced. Therefore, a further apportionment of the West Midlands County Authority's share was agreed. Hard rock production ceased and therefore the 0.575Mt share was divided equally between Warwickshire and Shropshire, which were the only counties with availability of a similar rock type. Therefore 0.2875 Mt was added to the original apportionments for Shropshire and Warwickshire.
- 3.9 The revised apportionment for crushed rock has now come into effect, as full production in the West Midlands metropolitan area ceased in 2006 / 2007 as the one remaining quarry is now exhausted.

Crushed Rock	Apportionment of Regional Guidelines	Annual Provision
Herefordshire	93Mt x 7.3% ÷ 16	0.424 Mt
Worcestershire	93Mt x 2.8% ÷ 16	0.163 Mt
Shropshire	93Mt x 45.8% ÷ 16 + 0.02875 Mt	2.949 Mt
Staffordshire	93Mt x 24.2% ÷ 16	1.395 Mt
Warwickshire	93Mt x 10.2% ÷ 16 + 0.2875 Mt	0.88 Mt
W. Midlands County	No apportionment	0
Regional Total		5.812Mt

Table A3.5 Annual Apportionment of Crushed Rock in the West Midlands (removing W. Midlands County)

Crushed Rock I	₋andbank a	t 31.12.10				
MPA	Landbank at 31.12 08	Reserves at 31.12. 09 (Mt)	Apportionment	Landbank at 31.12.09	Reserves at 31.12.10	Landbank at 31.12.10 (yrs)

	(years)			(years)	(Mt)	
Herefordshire	34	15	0.424	35.4	12.2	28.8
Worcs	*	*	0.163	*	*	*
Shropshire	39.3	116.0	2.949	39.3	113.9	38.6
Staffs	115.0	160.5	1.395	115.0	159.7	114.5
Warwicks	34	29.1	0.88	33.1	21.6	24.5
W. Midlands County	0	0	0	0	0	0
TOTAL	222.3	320.6	5.811	222.8	307.4	206.4

A4: Plan and policy documents – positions as at 31:12:12

The following table sets out the position in respect of mineral and waste-related plans, policies and similar documents in each mineral planning authority for the period running up to 31st December 2012. It does not include annual monitoring reports or local aggregates assessments although some authorities had at that point, embarked upon the preparation of the latter.

Shire Counties	Structure Plan Adopted	Minerals Plan Adopted	Minerals Development Framework Status/Timetable
Worcs	Worcester shire County Structure Plan 1996- 2011.	The County of Hereford and Worcester Minerals Local Plan (April 1997)	Minerals Core Strategy – Under Review Waste Core Strategy and Proposals Map documents Examination took place in March 2012
	(Saved Until 2007)	Saved Until Sept 2007	
	Saved Polices exist.	Saved Polices Exist.	
Staffs	May 2001 and amended 2002 (due to a High Court challenge) Saved Polices Now exist	Saved Policies Exist.	Minerals Core Strategy /new Local Plan Minerals Core Strategy held until Joint Waste Core Strategy is adopted. NB – Stoke on Trent City Council adopted the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy in October 2009. This includes a Minerals Safeguarding Policy.
			Waste Core Strategy
			Examination took place in May /June 2012

			NB The Staffordshire Joint Waste C been produced in conjunction with S	
Warks	August 2001	February 1995 Saved Policies Exist	Minerals Core Strategy / new Loc Plan Revised Spatial Options March 200 New Timetable yet to be agreed aft Strategy adopted.	9
			Waste Core Strategy Emerging Spatial Options March 2011 Preferred Option and Draft Policies August 2011 Publication Draft March 2011 Submission	Sept 2012

Unitary Development Plan adopted	Development Framework Status	Aggregates Policies
July 1993	Core Strategy	
	Sustainability scoping May 2008	Waste and recycling to be addressed
	Preferred Option 2009	through three specific policies within the Core
	Submission to SoS May 2010	Strategy.
	Pre-examination Nov 2010	

	Examination Feb 2011 Inspectors Report June 2011 Adoption	
	Core Strategy The Black Country Joint Core Strategy was	The Black Country Core Strategy
	adopted on 3 rd February 2011.	includes a spatial strategy for the Black Country and policies aimed at addressing strategic minerals and waste issues, including mineral safeguarding, supply of primary aggregates and use of alternatives to primary aggregates.
UDP adopted in December 2001	Coventry Development Plan - 2001-2011	Waste and
	Core Strategy Issues and Options-July 2011	Recycling to be addressed within Core Strategy.
	Proposed Submission to SoS:-Dec 2011	
	Examination - March 2012	
	Inspectors Report- Oct 2012	
	Adoption: Winter-	

	2012/early 2013	
	Allocations Document No timetable set out as yet	
Solihull UDP Adopted February 2006 and most policies saved.	Core Strategy Issues & Options published December 2008 Preferred Option Policy Directions published July 2010 Pre Submission Draft Local Plan published Jan 2012 Submission to Secretary of State August 2012 Examination Autumn/ Winter 2012	Aggregates policies within the Core Strategy
Dudley UDP 2005 (adopted Oct 2005)	The Joint Black County Core Strategy now adopted. Dudley MBC is producing a Development Strategy DPD which may include some minerals policy or site specific designations	Adopted UDP contains Polices on Primary and Secondary Minerals. The Black Country Core Strategy will include spatial strategy for Black Country and policies aimed at addressing strategic minerals and waste issues, including mineral safeguarding, supply of primary

		aggregates and use of alternatives to primary aggregates.
Herefordshire UDP – Adopted March 2007. Policies now "Saved" by Direction from SoS in February 2010.	LDF – Core Strategy Preferred Options consultation - January to March 2010. Draft in final stages at the end of 2012	Minerals and Waste Separate Chapters and Polices within adopted UDP – policies now "Saved". Once adopted the Core Strategy will contain Minerals and Waste Policies and will be followed by separate DPDs in due course
Sandwell UDP 2004 (adopted 2004)	Black Country Core Strategy (see above)	The Black Country Core Strategy includes spatial
	DPD Land Allocations Preparation - Jan 2007	strategy for Black Country and policies aimed at addressing strategic minerals
	Issues/Options/SA une 2008	and waste issues, including mineral safeguarding, supply of primary aggregates and use
	Preferred Option Feb 2009	of alternatives to primary aggregates.
	Submission to SoS Sept 2009 Public Examination	
	March 2012	

	Adoption of Maps Nov 2012	
Structure Plan Adopted	LDF Core Strategy	Minerals
2001 Minerals Local Plan - Staffordshire and Stoke on Trent – (1994 – 2006) Waste Local Plan – Staffordshire and Stoke on Trent (1998 – 2011)	Commencement - Jan 2007 Pre Submission Stage - April 2007 Submission to SoS - July 2008 Examination - Mar 2009 Adoption - Nov 2009 Waste Core Strategy DPD Commencement - Feb 2008	No formal Minerals DPD to be produced, a number of safeguarded Mineral sites are included within the Core Strategy.
	Scope of SA - Feb - July 2008 Options Sept 2009 Publication July 2010 Submission Nov 2010 Hearing March 2011 Adoption Sept 2011	
Shropshire and Telford & Wrekin Structure Plan 1996 – 2011 Adopted November 2002 Saved Policies at: www.shropshire.gov.uk/planning.nsf	LDF Core Strategy Adopted March 2011 www.shropshire.gov.uk/ planning.nsf	Site Allocations and Management of Development DPD Issues & Options- April 2010 Preferred Options -

		March 2012
		Estimated Date of Adoption - 2014
		No separate
		Minerals DPD will be
		produced, strategic
		policy for minerals is included within the
		Core Strategy and
		site allocations for
		sand and gravel will
		be made in the Site Allocations and
		Management of
		Development DPD
The Shropshire County Council and Borough of	Core Strategy	Minerals DPD
Telford & Wrekin Joint	Core Strategy adopted	An early review of
Structure Plan until 2011.	December 2007 minus	the Core Strategy
	the minerals and waste policies.	will include minerals A Minerals DPD
	policies.	including sites will
Borough of Telford &	The adopted core	follow once the new
Wrekin and Shropshire County Council Minerals	strategy was reduced to 10 a year period instead	Core Strategy is
Local Plan. 1996 – 2006	of the period to 2016.	found sound.
	·	Waste DPD
		The same timetable
		as for the Minerals DPD
Mala all LIDD 0005	Disable On the O	
Walsall UDP 2005 (adopted March 2005)	Black Country Core Strategy (see above)	Adopted UDP policies replaced by
	will form the basis of	Core Strategy
Only Policy M7 is still saved.	LDF Core Strategy.	policies MIN1 -MIN
	The Black Country Joint	except for Minerals Policy M7.
Designing Walsall SPD	Core Strategy was	Olicy Wit.
(adopted February 2009, under review following	adopted on 3 rd February	
adoption of Core Strategy)	2011.	Designing Walsall
		and Conserving
Conserving Walsall's Natural Environment	Walsall Site	Walsall's Natural
ivaturai Environinent	waisali Sile	Environment SPDs

SPD (adopted April 2009, under review following adoption of Core Strategy)	Allocations DPD and Walsall Town Centre AAP (being prepared in parallel) Start Jul 2011 Consultation Oct 2011 Publication Sep 2012	support policies in the adopted UDP. They address issues such as sustainable design and construction (supporting re-use of buildings and building materials) and protection of
		designated nature conservation sites including geological SSSIs and SINCs. The Site Allocations DPD will identify suitable sites for a
		variety of future uses within Walsall and will include site allocation policies and updating of the UDP Proposals Map (Policies Map). The Town Centre AAP will provide a strategy for regeneration of the Walsall Town Centre and will replace the Town Centre Policies and Town Centre Inset Map in the UDP.
Wolverhampton UDP 2006 (adopted June 2006)	Black Country Core Strategy (see above) forms part of the LDF. The Black Country Joint Core Strategy was adopted on 3 rd February 2011.	The Black Country Core Strategy includes spatial strategy for Black Country and policies aimed at addressing strategic minerals and waste issues, including mineral safeguarding, supply

Site Allocations DPD -	of primary
All minerals issues will	aggregates and use
be addressed in the	of alternatives to
Core Strategy.	primary aggregates.

Table A4.2 Development Plan status for the unitary authorities

9. Membership of the WMAWP

Decision needed on inclusion of the 2010 and or current list of members

- 10 Working party publications [list of all reports and contact details]
- 11. Active and Inactive Aggregate Mineral workings in the West Midlands Region

Revision and checking in progress

12. Active Aggregate Recycling Sites in the West Midlands Region

Revision and checking in progress

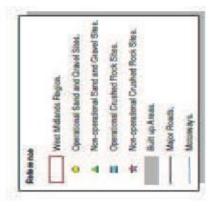
13. Mineral Planning Applications 2011 and 2012

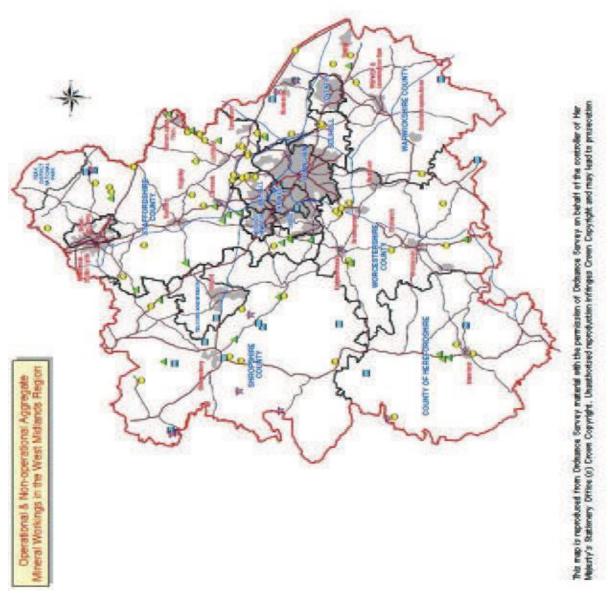
Revision and checking in progress

14. Recycled Aggregate Applications 2011 and 2012

Revision and checking in progress

16. West Midlands Aggregate Sites





Plan taken from West Midlands Regional Spatial Strategy Phase 3 Revision (Consultation document)